



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Engelhardt et al.

Serial No.: 08/479,997

Group Art Unit: 1631

Filed: June 7, 1995

Ex'r: Ardin H. Marschel, Ph.D.

Title: **OLIGO- OR POLYNUCLEOTIDES COMPRISING PHOSPHATE MOIETY
LABELED NUCLEOTIDES (As Previously Amended)**

FILED BY EXPRESS MAIL

Mail Stop -- Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

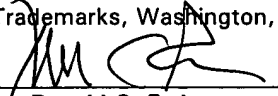
**NOTICE OF APPEAL TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated July 14, 2004 of the Primary Examiner, finally rejecting claims 826-1227. Applicants' September 3, 2004 Amendment Under 37 C.F.R. §1.116 is being concurrently filed with this paper.

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EXPRESS MAIL CERTIFICATE	
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Deposit Date:	<u>September 3, 2004</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.110 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231	
 Ronald C. Fedus Reg. No. 32,567	<u>SEPT 3 2004</u> Date

The items checked below are appropriate:

1. X Appeal Fee of \$330.00
2. Fee enclosed.
3. Fee not required (e.g., Fee paid in prior appeal).
4. X Charge Fee to Deposit Account No. 05-1135.
(A DUPLICATE COPY OF THIS SHEET IS ATTACHED.)
5. X The Commissioner is hereby authorized to charge any additional
fees which may be required by this paper, or to credit any
overpayment to Deposit Account No. 05-1135.

September 3, 2004
Date

Respectfully submitted,


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